

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA  
Alexandria Division

OCT 25 2013

ESTHER M. YATES,  
Plaintiff,

v.

COMPUTER SCIENCES CORPORATION,  
Defendant.

Civil Action No. 1:12cv1494

**ORDER**

The matter came before the Court on defendant's motion for summary judgment (Doc. 33). In the course of the hearing, plaintiff, by counsel, confirmed that certain claims that were alleged in the original complaint have been withdrawn, namely Count I, alleging a hostile work environment claim under Title VII<sup>1</sup>, and those portions of Counts II and IV alleging disparate treatment/race discrimination based on alleged adverse actions other than plaintiff's suspension and termination. Oral argument was heard with respect to the remaining discrimination and retaliation claims filed pursuant to Title VII and 42 U.S.C. § 1981.

For the reasons stated from the Bench, and for good cause,

It is hereby **ORDERED** that Count I of the complaint is deemed **WITHDRAWN**.

It is further **ORDERED** that plaintiff's Title VII and § 1981 claims of disparate treatment/race discrimination, as alleged in Counts II and IV of the complaint, are limited to plaintiff's suspension and termination; to the extent Counts II and IV were originally pled to include alleged adverse actions other than plaintiff's suspension and termination, those claims are deemed **WITHDRAWN**.

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<sup>1</sup> Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e *et seq.*


It is further **ORDERED** that with respect to the remaining Title VII and § 1981 discrimination and retaliation claims alleged in Counts II, III, IV and V of the complaint, defendant's motion for summary judgment (Doc. 33) is **DENIED**.

It is further **ORDERED** that the parties are **DIRECTED** to comply with the following schedule:

1. A jury trial is **SCHEDULED** to commence at 10:00 a.m., Tuesday, February 11, 2014;
2. Any motions in limine must be filed by 5:00 p.m., Monday, January 20, 2014, with the filing of responses to be governed by the Local Rules and a hearing on any such motions **SCHEDULED** for 10:00 a.m., Friday, February 7, 2014; and
3. The parties must file their proposed voir dire and proposed jury instructions by 5:00 p.m., Monday, February 3, 2014.

The Clerk is directed to send a copy of this Order to all counsel of record.

Alexandria, Virginia  
October 25, 2013

  
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T. S. Ellis, III  
United States District Judge